



## MEMORANDUM

### MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

**To:** Monroe County Planning Commission

**From:** Cheryl Cioffari, AICP, Acting Sr. Director of Planning and Environmental Resources

**Date:** July 12, 2019

**Subject:** An ordinance by the Monroe County Board of County Commissioners amending Policy 101.3.2 of the 2030 Monroe County Comprehensive Plan to extend the time period of the Rate of Growth Ordinance (ROGO) through 2026. (File #2019-043)

---

**Meeting:** July 31, 2019

---

#### I. REQUEST

The Monroe County Planning & Environmental Resources Department is proposing amendments to the 2030 Comprehensive Plan, as directed by the BOCC on January 30, 2019, to amend Policy 101.3.2 to extend the time period of the Rate of Growth Ordinance (ROGO) through 2026.

#### II. BACKGROUND INFORMATION

Monroe County's current adopted Comprehensive Plan has an existing policy that provides distribution of allocations for the Rate of Growth Ordinance (ROGO) through 2023. The annual allocations are distributed among the upper and lower Keys. Furthermore, Policy 101.3.2 (see below), requires re-evaluation of the ROGO allocation distribution schedule, if substantial financial support is provided by July 12, 2018 for land acquisition to retire development rights.

##### **Policy 101.3.2**

"The number of permits issued for residential dwelling units under the Rate of Growth Ordinance shall not exceed a total of 1,970 new allocations for the time period of July 13, 2013 through July 12, 2023, plus any available unused ROGO allocations from a previous ROGO year. A ROGO year means the twelve-month period beginning on July 13. Market rate allocations shall not to exceed 126 residential units per year. Unused allocations for market rate shall be available for Administrative Relief.

In 2012, pursuant to Rule 28-20.140, F.A.C., the Department of Economic Opportunity completed the hurricane evacuation clearance time modeling task and found that with 10 years' worth of building permits, the Florida Keys would be at a 24-hour evacuation clearance time. This creates challenges for State of Florida and Monroe County as there were 8,168 privately owned vacant parcels [3,979 Tier I; 393 Tier II, 260 Tier III-A (SPA);

3,301 Tier III, and 235 No tier (ORCA, etc.)) but only 1,970 ROGO allocations to distribute between 2013 and 2023. This deficit of ROGO allocations could result in a balance of approximately 6,198 privately held vacant parcels at risk of not obtaining permits once the 1,970 ROGO allocations are exhausted. In recognition of the possibility that the inventory of vacant parcels exceeds the total number of allocations which the State will allow the County to award, the County will consider adopting an extended timeframe for distribution of the ROGO allocations through 2033 with committed financial support from its State and Federal partners. This timeframe can provide a safety net to the County and provide additional time to implement land acquisition and other strategies to reduce the demand for ROGO allocations and help transition land into public ownership.

The County is actively engaged in acquisitions and is requesting its State and Federal partners for assistance with implementing land acquisitions in Monroe County. The County will allocate the 1,970 new dwelling unit allocations over a 10 year timeframe. If substantial financial support is provided by July 12, 2018, the County will reevaluate the ROGO distribution allocation schedule and consider an extended timeframe for the distribution of market rate allocations (through a comprehensive plan amendment). Further, the State and County shall develop a mutually agreeable position defending inverse condemnation cases and Bert J. Harris, Jr. Private Property Rights Protection Act cases, with the State having an active role both directly and financially in the defense of such cases.

The County shall distribute ROGO allocations by ROGO year, as provided in the table below.

ROGO Year	Annual Allocation	
	Market Rate	Affordable Housing
July 13, 2013- July 12, 2014	126	71
July 13, 2014- July 12, 2015	126	71
July 13, 2015- July 12, 2016	126	568 total AFH (total available immediately)
July 13, 2016- July 12, 2017	126	
July 13, 2017- July 12, 2018	126	
July 13, 2018- July 12, 2019	126	
July 13, 2019- July 12, 2020	126	
July 13, 2020- July 12, 2021	126	
July 13, 2021- July 12, 2022	126	
July 13, 2022- July 12, 2023	126	
TOTAL	1,260	710*
*(includes two annual affordable ROGO allocations for the Big Pine Key/No Name Key subarea)		

1 The State of Florida, pursuant to Administration Commission Rules, may modify the annual  
2 allocation rate. Monroe County will request a Rule change from the Administration Commission  
3 to authorize the above allocation timeframe and rate.”  
4

5 The Florida Legislature and the Administration Commission have mandated that local  
6 governments (except the City of Key West) include measures to protect public safety and welfare  
7 in the event of a hurricane by maintaining an evacuation clearance time for permanent residents of  
8 no more than 24 hours in their respective Comprehensive Plans. Florida Administrative Code Rule  
9 28-36.003(2)(a)7 requires the City of Key West to prepare and adopt an evacuation plan that is  
10 consistent with the regional and County plans.  
11

12 The Florida Legislature mandated that the hurricane evacuation time for the Florida Keys Area of  
13 Critical State Concern (ACSC) be determined by a state approved hurricane evacuation study. The  
14 Division of Emergency Management (“the Division”) produced an evacuation study titled  
15 “Statewide Regional Evacuation Studies Program” dated November 2010, augmented with other  
16 professional data and analysis, to determine input variables and assumptions to determine  
17 clearance times. For the first time since the hurricane modeling began, after the growth limitations  
18 were added to the comprehensive plan, the model demonstrated that the award of allocations  
19 through the year 2023 by DEO would place the County, including municipalities at the maximum  
20 24 hour limit evacuation. This indicated the county was at maximum buildout and additional  
21 allocations would not be forthcoming, unless other changes are made such as  
22 transportation/evacuation improvements, etc.  
23

24 In 2012, the County entered into a Memorandum of Understanding (MOU) with the Department  
25 of Economic Opportunity (DEO), the Division, Marathon, Islamorada, Key West, Key Colony  
26 Beach and Layton. The MOU provided the distribution of allocations among the local governments  
27 based upon a vacant land analysis. Based on the MOU, the County began receiving 197 ROGO  
28 allocations annually, for a total of 1,970 ROGO allocations over a 10-year period. Following the  
29 MOU, the County updated its Comprehensive Plan and adopted Objectives 101.2 and 101.3, and  
30 the Policies therein (Attachment). The existing model indicates the current ROGO allocations  
31 available to maintain evacuation at the 24-hour mark will be exhausted in 2023.  
32

33 DEO will run an evacuation model after the completion of the 2020 Census, using updated data  
34 and analysis. Staff anticipates this process may take two to three years, and will require a new  
35 MOU with the previously included parties. This will be the earliest point in time that the County  
36 will be able to evaluate the results based on any changes experienced in the inputs and assumptions  
37 utilized.  
38

### 39 **Community Meeting and Public Participation**

40 In accordance with LDC Section 102-159(b)(3), a Community Meeting for the Comprehensive  
41 Plan and Land Development Code text amendments was held on April 3, 2019 in Marathon and  
42 provided for public input. There were no members of the public in attendance.  
43

### 44 **Development Review Committee and Public Input**

45 At a regular meeting held on May 28, 2019, the Development Review Committee (DRC)  
46 considered the proposed Comprehensive Plan text amendment and corresponding Land  
47 Development text amendment, and provided for public comment.  
48

1 **Previous Relevant BOCC Action**

2 At a special meeting on January 30, 2019, the BOCC directed staff to amend the Monroe County  
3 Comprehensive Plan and Land Development Code to extend the time period of the Rate of Growth  
4 Ordinance (ROGO) through 2026.  
5

6 *The subject of this staff report is the amendment to the Comprehensive Plan.*  
7

8 **III. PROPOSED COMPREHENSIVE PLAN TEXT AMENDMENTS**  
9

10 Proposed Amendment (deletions are ~~stricken through~~; additions are shown in underlined).  
11

12 \*\*\*\*\*  
13

14 **Policy 101.3.2**

15 The number of permits issued for residential dwelling units under the Rate of Growth Ordinance  
16 shall not exceed a total of 1,970 new allocations for the time period of July 13, 2013 through July  
17 12, ~~2023-2026~~, plus any available unused ROGO allocations from a previous ROGO year. A  
18 ROGO year means the twelve-month period beginning on July 13. Market rate allocations shall  
19 not to exceed 126 residential units per year. Unused allocations for market rate shall be available  
20 for Administrative Relief.

21 In 2012, pursuant to Rule 28-20.140, F.A.C., the Department of Economic Opportunity completed  
22 the hurricane evacuation clearance time modeling task and found that with 10 years' worth of  
23 building permits, the Florida Keys would be at a 24 hour evacuation clearance time. This creates  
24 challenges for State of Florida and Monroe County as there are 8,168 privately owned vacant  
25 parcels [3,979 Tier I; 393 Tier II, 260 Tier III-A (SPA); 3,301 Tier III, and 235 No Tier (ORCA,  
26 etc.)] and with 1,970 new allocations this may result in a balance of 6,198 privately held vacant  
27 parcels at risk of not obtaining permits in the future.  
28

29 In recognition of the possibility that the inventory of vacant parcels exceeds the total number of  
30 allocations which the State will allow the County to award, the County will consider adopting an  
31 extended timeframe for distribution of the ROGO allocations through 2033 with committed  
32 financial support from its State and Federal partners. This timeframe can provide a safety net to  
33 the County and provide additional time to implement land acquisition and other strategies to reduce  
34 the demand for ROGO allocations and help transition land into public ownership.  
35

36 The County is actively engaged in acquisitions and is requesting its State and Federal partners for  
37 assistance with implementing land acquisitions in Monroe County. The County will allocate the  
38 1,970 new dwelling unit allocations over a 10 year timeframe. If substantial financial support is  
39 provided by July 12, 2018, the County will reevaluate the ROGO distribution allocation schedule  
40 and consider an extended timeframe for the distribution of market rate allocations (through a  
41 comprehensive plan amendment). Further, the State and County shall develop a mutually agreeable  
42 position defending inverse condemnation cases and Bert J. Harris, Jr. Private Property Rights  
43 Protection Act cases, with the State having an active role both directly and financially in the  
44 defense of such cases.  
45

46 The County shall distribute ROGO allocations by ROGO year, as provided in the table below.  
47

	Annual Allocation	
ROGO Year	Market rate	Affordable
July 13, 2013- July 12, 2014	126	71
July 13, 2014- July 12, 2015	126	71
July 13, 2015- July 12, 2016	126	568 total AFH (total available immediately)
July 13, 2016- July 12, 2017	126	
July 13, 2017- July 12, 2018	126	
July 13, 2018- July 12, 2019	126	
July 13, 2019- July 12, 2020	126	
July 13, 2020- July 12, 2021	<del>126</del> 64	
July 13, 2021- July 12, 2022	<del>126</del> 64	
July 13, 2022- July 12, 2023	<del>126</del> 64	
July 13, 2023- July 12, 2024	62	
July 13, 2024- July 12, 2025	62	
July 13, 2025- July 12, 2026	62	
Total	1,260	710*
*Includes two annual affordable ROGO allocation for the Big Pine Key / No Name Key subarea through the Incidental Take Permit (ITP) ending in 2023.		

The State of Florida, pursuant to Administration Commission Rules, may modify the annual allocation rate. Monroe County will request a Rule change from the Administration Commission to authorize the above allocation timeframe and rate.

\*\*\*\*\*

#### IV. ANALYSIS OF PROPOSED AMENDMENT

For a number of years prior to 2016, County staff had frequent meetings with the State of Florida requesting that DEP reinstate land acquisition in Florida Keys Florida Forever project areas. In addition to the staff outreach, Representative Holly Raschein and the legislature passed the Florida Keys Environmental Stewardship Act in 2016 codifying the State's recognition of the importance of land acquisition as a critical need and secured Florida Forever funds for state land acquisitions in the Florida Keys. For the period between July 1, 2016 and April 25, 2019, the state has purchased 135 parcels, at an approximate cost of \$2,808,220 and retired 61.49 TDRs. The State of Florida designated \$5 Million toward land acquisition in Florida Forever in the 2018 legislative session.

The following graph shows the amount encumbered or spent on acquisitions and the TDRs retired from July 1, 2016 through April 25, 2019.



APRIL 2019  
Land Acquisition and Funding  
Available and Potential Balances  
From 7/1/16 \* to 4/25/19



NOTE: The DEP costs shown are subject to confirmation by DEP. Due Diligence costs initially incurred by BOCC that will ultimately be reimbursed by DEP are listed as DEP costs.

These acquisitions help to further progress on Policy 101.3. 2 of the Comprehensive Plan adopted April 13, 2016. Therefore, it is an appropriate time for the County to consider extending ROGO beyond 2023.

The proposed amendment would provide the County additional time to distribute ROGO allocations during the time period that the new evacuation model is run using updated data and analysis, including information from the 2020 Census. Staff anticipates this process may take two to three years, and will require a new MOU with the previously included parties. This will be the earliest point in time that the County will be able to evaluate the results based on any changes experienced in the inputs and assumptions utilized. Extending ROGO through 2026 provides the County with time to complete such an analysis.

## V. CONSISTENCY WITH THE MONROE COUNTY COMPREHENSIVE PLAN, THE PRINCIPLES FOR GUIDING DEVELOPMENT, AND FLORIDA STATUTES.

### A. The proposed amendment is consistent with the Goals, Objectives and Policies of the Monroe County 2030 Comprehensive Plan. Specifically, it furthers:

1 **GOAL 101**

2 Monroe County shall manage future growth to enhance the quality of life, ensure the safety of  
3 County residents and visitors, and protect valuable natural resources. [§163.3177(1), F.S.]  
4

5 **Objective 101.1**

6 Monroe County shall ensure that all development and redevelopment taking place within its  
7 boundaries does not result in a reduction of the level-of-service requirements established and  
8 adopted by this comprehensive plan. Further, Monroe County shall ensure that comprehensive plan  
9 amendments include an analysis of the availability of facilities and services or demonstrate that  
10 the adopted levels of service can be reasonably met. [§163.3177 & 163.3180, F. S.]  
11

12 **Objective 101.2**

13 As mandated by the State of Florida, pursuant to Section 380.0552, F.S. and Rule 28-20.140,  
14 F.A.C., and to maintain the public health, safety, and welfare, Monroe County shall maintain a  
15 maximum hurricane evacuation clearance time of 24 hours and will coordinate with the State Land  
16 Planning Agency relative to the 2012 Memorandum of Understanding that has been adopted  
17 between the County and all the municipalities and the State agencies.  
18

19 **Policy 101.2.1**

20 Monroe County shall maintain a memorandum of understanding with the State Land Planning  
21 Agency, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony  
22 Beach, and Layton to stipulate, based on professionally acceptable data and analysis, the input  
23 variables and assumptions, including regional considerations, for utilizing the Florida Division of  
24 Emergency Management's (DEM) Transportation Interface for Modeling Evacuations ("TIME")  
25 Model to accurately depict evacuation clearance times for the population of the Florida Keys.  
26

27 **Policy 101.2.2**

28 Monroe County shall coordinate with all the municipalities, the State Land Planning Agency and  
29 Division of Emergency Management to update the variables and assumptions for the evacuation  
30 clearance time modeling and analyses of the build-out capacity of the Florida Keys Area of Critical  
31 State Concern based upon the release of the decennial Census data. Pursuant to the 2012 completed  
32 hurricane evacuation clearance time modeling by the State Land Planning Agency, which  
33 incorporates the 2010 Census data, the County may allocate 10 years' worth of growth (197 x 10  
34 = 1,970 allocations, 197 annual ROGO rate based on Rule 28-20.140, F.A.C.) through the year  
35 2023, while maintaining an evacuation clearance time of 24 hours. The County will adopt a slower  
36 rate of annual allocations for market rate development to extend the allocation timeframe to 2033  
37 without exceeding the total of 1,970 allocations (see Policy 101.3.2). The County shall reevaluate  
38 the annual ROGO allocation rate based on: 1) statutory changes for hurricane evacuation clearance  
39 time requirement standards; 2) new hurricane evacuation modeling by the State Land Planning  
40 Agency and Division of Emergency Management; and 3) a new or revised memorandum of  
41 understanding with the State Land Planning Agency, Division of Emergency Management,  
42 Marathon, Islamorada, Key West, Key Colony Beach and Layton (see Policy 101.2.1).  
43

44 **Policy 101.2.3**

45 The County will consider capital improvements based upon the need for improved hurricane  
46 evacuation clearance times. The County will coordinate with the FDOT, the state agency which  
47 maintains U.S.1, to ensure transportation projects that improve clearance times are prioritized.  
48

1 **Policy 101.2.4**

2 In the event of a pending major hurricane (Category 3—5) Monroe County shall implement the  
3 following staged/phased evacuation procedures to achieve and maintain an overall 24-hour  
4 hurricane evacuation clearance time for the resident population.

- 5 1. Approximately 48 hours in advance of tropical storm winds, a mandatory evacuation of  
6 non-residents, visitors, recreational vehicles (RVs), travel trailers, live-aboard vessels  
7 (transient and non-transient), and military personnel from the Florida Keys shall be  
8 initiated. State parks and campgrounds should be closed at this time or sooner and entry  
9 into the Florida Keys by non-residents should be strictly limited.
- 10 2. Approximately 36 hours in advance of tropical storm winds, a mandatory evacuation of  
11 mobile home residents, special needs residents, and hospital and nursing home patients  
12 from the Keys shall be initiated.
- 13 3. Approximately 30 hours in advance of tropical storm winds, a mandatory phased  
14 evacuation of permanent residents by evacuation zone (described below) shall be initiated.  
15 Existing evacuation zones are as follows:
- 16 a) Zone 1 - Key West, Stock Island and Key Haven to Boca Chica Bridge (MM 1-6)
  - 17 b) Zone 2 - Boca Chica Bridge to West end of 7-mile Bridge (MM 6-40)
  - 18 c) Zone 3 - West end of 7-Mile Bridge to West end of Long Key Bridge (MM 40-63)
  - 19 d) Zone 4 - West end of Long Key Bridge to CR 905 and CR 905A intersection (MM  
20 63-106.5 and MM 1-9.5 of CR 905)
  - 21 e) Zone 5 - 905A to, and including Ocean Reef (MM 106.5-126.5)
- 22

23 The actual sequence of the evacuation by zones will vary depending on the individual storm. The  
24 concepts embodied in this staged evacuation procedures should be embodied in the appropriate  
25 County operational Emergency Management Plans.

26

27 The evacuation plan shall be monitored and updated on an annual basis to reflect increases,  
28 decreases and or shifts in population; particularly the resident and non-resident populations.

29

30 For the purpose of implementing Policy 101.2.4, this Policy shall not increase the number of  
31 allocations to more than 197 residential units a year, except for affordable housing. Any increase  
32 in the number of allocations shall be for affordable housing.

33

34 **Objective 101.3**

35 Monroe County shall regulate new residential development based upon the finite carrying capacity  
36 of the natural and man-made systems and the growth capacity while maintaining a maximum  
37 hurricane evacuation clearance time of 24 hours.

38

39 **Policy 101.3.1**

40 Monroe County shall maintain a Permit Allocation System for new residential development known  
41 as the Residential Rate of Growth Ordinance (ROGO) System. The Permit Allocation System shall  
42 limit the number of permits issued for new residential dwelling units The ROGO allocation system  
43 shall apply within the unincorporated area of the county, excluding areas within the county  
44 mainland and within the Ocean Reef planned development (Future development in the Ocean Reef  
45 planned development is based upon the December 2010 Ocean Reef Club Vested Development  
46 Rights Letter recognized and issued by the Department of Community Affairs). New residential  
47 dwelling units included in the ROGO allocation system include the following: affordable housing

units; market rate dwelling units; mobile homes; and institutional residential units (except hospital rooms).

Vessels are expressly excluded from the allocation system, as the vessels do not occupy a distinct location, and therefore cannot be accounted for in the County's hurricane evacuation model. Under no circumstances shall a vessel, including live-aboard vessels, or associated wet slips be transferred upland or converted to a dwelling unit of any other type. Vessels or associated wet slips are not considered ROGO allocation awards, and may not be used as the basis for any type of ROGO exemption or TRE (Transfer of ROGO Exemption).

ROGO Allocations for rooms, hotel or motel; campground spaces; transient residential units; and seasonal residential units are subject to Policy 101.3.5.

**B. The amendment is consistent with the Principles for Guiding Development for the Florida Keys Area, Section 380.0552(7), Florida Statutes.**

For the purposes of reviewing consistency of the adopted plan or any amendments to that plan with the principles for guiding development and any amendments to the principles, the principles shall be construed as a whole and no specific provision shall be construed or applied in isolation from the other provisions.

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (b) Protecting shoreline and benthic resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e) Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (g) Protecting the historical heritage of the Florida Keys.
- (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:
  - 1. The Florida Keys Aqueduct and water supply facilities;
  - 2. Sewage collection, treatment, and disposal facilities;
  - 3. Solid waste treatment, collection, and disposal facilities;
  - 4. Key West Naval Air Station and other military facilities;
  - 5. Transportation facilities;
  - 6. Federal parks, wildlife refuges, and marine sanctuaries;
  - 7. State parks, recreation facilities, aquatic preserves, and other publicly owned properties;
  - 8. City electric service and the Florida Keys Electric Co-op; and
  - 9. Other utilities, as appropriate.

- (i) Protecting and improving water quality by providing for the construction, operation, maintenance, and replacement of stormwater management facilities; central sewage collection; treatment and disposal facilities; and the installation and proper operation and maintenance of onsite sewage treatment and disposal systems.
- (j) Ensuring the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.
- (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.
- (l) Making available adequate affordable housing for all sectors of the population of the Florida Keys.
- (m) Providing adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a postdisaster reconstruction plan.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
- (o) Pursuant to Section 380.0552(7) Florida Statutes, the proposed amendment is not inconsistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

**C. The proposed amendment is consistent with the Part II of Chapter 163, Florida Statute (F.S.). Specifically, the amendment furthers:**

163.3161(4), F.S. – It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within their jurisdictions. Through the process of comprehensive planning, it is intended that units of local government can preserve, promote, protect, and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare; facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, recreational facilities, housing, and other requirements and services; and conserve, develop, utilize, and protect natural resources within their jurisdictions.

163.3161(6), F.S. – It is the intent of this act that adopted comprehensive plans shall have the legal status set out in this act and that no public or private development shall be permitted except in conformity with comprehensive plans, or elements or portions thereof, prepared and adopted in conformity with this act.

163.3177(1), F.S. – The comprehensive plan shall provide the principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. These principles and strategies shall guide future decisions in a consistent manner and shall contain programs and activities to ensure comprehensive plans are implemented. The sections of the comprehensive plan containing the principles and strategies, generally provided as goals, objectives, and policies, shall describe how the local government's programs, activities, and land development regulations will be initiated, modified, or continued to implement the comprehensive plan in a consistent manner. It is not the intent of this part to require the inclusion

of implementing regulations in the comprehensive plan but rather to require identification of those programs, activities, and land development regulations that will be part of the strategy for implementing the comprehensive plan and the principles that describe how the programs, activities, and land development regulations will be carried out. The plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations.

163.3201, F.S. – Relationship of comprehensive plan to exercise of land development regulatory authority.—It is the intent of this act that adopted comprehensive plans or elements thereof shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area. It is the intent of this act that the adoption and enforcement by a governing body of regulations for the development of land or the adoption and enforcement by a governing body of a land development code for an area shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan as required by this act.

## **VI. PROCESS**

Comprehensive Plan Amendments may be proposed by the Board of County Commissioners, the Planning Commission, the Director of Planning, or the owner or other person having a contractual interest in property to be affected by a proposed amendment. The Director of Planning shall review and process applications as they are received and pass them onto the Development Review Committee and the Planning Commission.

The Planning Commission shall hold at least one public hearing. The Planning Commission shall review the application, the reports and recommendations of the Department of Planning & Environmental Resources and the Development Review Committee and the testimony given at the public hearing. The Planning Commission shall submit its recommendations and findings to the Board of County Commissioners (BOCC). The BOCC holds a public hearing to consider the transmittal of the proposed comprehensive plan amendment, and considers the staff report, staff recommendation, and the testimony given at the public hearing. The BOCC may or may not recommend transmittal to the State Land Planning Agency. The amendment is transmitted to State Land Planning Agency, which then reviews the proposal and issues an Objections, Recommendations and Comments (ORC) Report. Upon receipt of the ORC report, the County has 180 days to adopt the amendments, adopt the amendments with changes or not adopt the amendment.

## **VII. STAFF RECOMMENDATION**

Staff recommends approval of the proposed amendment.